

United States Court of Appeals For the First Circuit

No. 23-2069

JENNIFER COTTO, on behalf of herself and all others similarly situated; JAMIE KIMBALL, on behalf of herself and all others similarly situated; DAVID CUMMINGS, on behalf of himself and all others similarly situated; TODD MOTON, on behalf of himself and all others similarly situated; and TRAVIS MORAN, on behalf of himself and all others similarly situated,

Plaintiffs, Appellees,

STACY FOSTER, on behalf of herself and all others similarly situated; JONATHAN RILEY, on behalf of himself and all others similarly situated; and NICOLE WESTCOTT, on behalf of herself and all others similarly situated,

Plaintiffs,

v.

ANDREA J. CAMPBELL, Attorney General; TIMOTHY SHUGRUE, Berkshire County District Attorney; THOMAS M. QUINN, III, Bristol County District Attorney; ROBERT J. GALIBOIS, II, Cape and Islands District Attorney; PAUL TUCKER, Essex County District Attorney; ANTHONY GULLUNI, Hampden County District Attorney; MARIAN RYAN, Middlesex County District Attorney; MICHAEL W. MORRISSEY, Norfolk County District Attorney; DAVID E. SULLIVAN, Northwestern District Attorney; TIMOTHY J. CRUZ, Plymouth County District Attorney; KEVIN R. HAYDEN, Suffolk County District Attorney; JOSEPH D. EARLY, JR, Worcester County District Attorney; THOMAS G. AMBROSINO, Administrator of the Trial Court; and JOHN MAWN, JR., Massachusetts State Police Interim Superintendent,

Defendants, Appellants,

COMMONWEALTH OF MASSACHUSETTS; BROCKTON POLICE DEPARTMENT, on behalf of itself and all other police departments similarly situated; FALL RIVER POLICE DEPARTMENT, on behalf of itself and all other police departments similarly situated; BOSTON POLICE DEPARTMENT, on behalf of itself and all other police departments similarly situated; SPRINGFIELD POLICE DEPARTMENT, on behalf of itself and all other police departments similarly situated; CHARLIE BAKER, Governor; DEBORAH B. GOLDBERG, Treasurer; EDWARD DOLAN, Commissioner of Probation; and DANIEL BENNETT, Secretary of the Executive Office of Public Safety and Security,

Defendants.

JUDGMENT

Entered: January 21, 2025

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts and was argued by counsel.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The district court's partial denial of the Commonwealth defendants' motion to dismiss is reversed, and the matter is remanded to the district court with instructions to dismiss the complaint in full.

By the Court:

Anastasia Dubrovsky, Clerk

cc: Hon. Indira Talwani, Robert Farrell, Clerk, United States District Court for the District of Massachusetts, William W. Fick, Daniel N. Marx, Luke S. Ryan, Anne L. Sterman, Katherine B. Dirks, Christine Fimognari, Megan D. Bridges, Allison Marie Cogliano, Stacey Verde, Alan J. Rumsey, Randall F. Maas, Lisa Caryl deSousa, Joseph G. Donnellan